

IC 33-33-6

Chapter 6. Boone County

IC 33-33-6-1

Judicial circuit

Sec. 1. Boone County constitutes the twentieth judicial circuit.
As added by P.L.98-2004, SEC.12.

IC 33-33-6-2

Establishment of standard superior courts

Sec. 2. (a) There are established two (2) courts of record to be known as Boone superior court No. 1 and Boone superior court No. 2.

(b) Except as otherwise provided in this chapter, both superior courts are standard superior courts as described in IC 33-29-1.

(c) Boone County constitutes the judicial district of each superior court.

As added by P.L.98-2004, SEC.12.

IC 33-33-6-3

Judges; location of court sessions

Sec. 3. Each Boone superior court has one (1) judge who shall hold session in the Boone County courthouse in Lebanon.

As added by P.L.98-2004, SEC.12.

IC 33-33-6-4

Transfer of cases

Sec. 4. A case filed in the Boone circuit court or one (1) of the Boone superior courts may not be transferred by a court to one (1) of the other courts except on written stipulation of all the parties to the cause, other than parties defaulted. The stipulation shall be filed in the cause.

As added by P.L.98-2004, SEC.12.

IC 33-33-6-5

Lack of jurisdiction; transfer

Sec. 5. (a) If either Boone superior court does not have jurisdiction of any action or proceeding filed in the superior court or the Boone circuit court does not have jurisdiction of any action or proceeding filed in the circuit court but under this chapter the jurisdiction is in one (1) of the other courts, the court in which the action or proceeding was filed shall certify the case and the papers to the proper court, which shall proceed as if the case were originally filed in the proper court. The transfer shall be made by order entered on the order book of the court transferring the action or proceeding and shall be docketed in the court to which it was transferred without a transcript.

(b) If any action, case, proceeding, or matter transferred under this section is taken on change of venue to the court of another county, or if the cause is appealed to the court of appeals or supreme court from

any order, ruling, judgment, or decree, the clerk on request or praecipe of the party taking the change of venue or appeal shall make a certified transcript of the proceedings in each court, and the transcript has the same force and effect and gives the court to which it is taken on change of venue or appeal the same jurisdiction as though the transcript originally had been made when the actions, causes, cases, proceedings, and matters were transferred from one (1) court to the other.

As added by P.L.98-2004, SEC.12.

IC 33-33-6-6

Jury commissioners; juries

Sec. 6. (a) The Boone superior courts shall, during the last sixty (60) days in each calendar year, each appoint for the next calendar year two (2) persons who are residents of Boone County as jury commissioners. The law concerning jury commissioners appointed by the circuit court fully governs the jury commissioners appointed by the superior courts.

(b) The jury commissioners shall prepare and draw the petit jury for the superior courts as is done by the jury commissioners for the circuit court. The superior courts in making appointments of the jury commissioners, the clerk in issuing process for the jury, and the sheriff in serving process are governed by the law for petit jurors for the circuit court.

(c) Each superior court may order on what day jurors shall be summoned to attend the court. The judge of that court may order the selection and summoning of other jurors for the court when necessary. If a jury is not drawn, the clerk of the court shall select from among the properly qualified residents of the county a jury for the term, who shall be summoned and considered in all things as the regular panel of that court.

As added by P.L.98-2004, SEC.12.

IC 33-33-6-7

Jurisdiction

Sec. 7. (a) Subject to this section, the Boone superior courts have the same jurisdiction as the Boone circuit court.

(b) Only the circuit court has juvenile jurisdiction.

(c) Except as provided in IC 31-30-1-1, only Boone superior court No. 1 has probate jurisdiction.

As added by P.L.98-2004, SEC.12.

IC 33-33-6-8

Small claims and misdemeanor division

Sec. 8. The Boone superior court No. 2 has a standard small claims and misdemeanor division.

As added by P.L.98-2004, SEC.12.